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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)	
678-625 (P9633)	

Application Number	Filed
10/038,312	November 9, 2001

First Named Inventor	
Jun-HONG	

Art Unit	Examiner
2173	LEE, Ting Zhou

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
Note: No more than five (5) pages may be provided.

I am the

- [ ] applicant/inventor.
- [ ] assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- [x] attorney or agent of record. Registration number 33,494
- [ ] attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____

Signature

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July 27, 2010
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

- [ ] *Total of _____ forms are submitted

PATENT APPLICATION
Attorney Docket No.: 678-625 (P9633)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):	HONG, Jun-Il	**GROUP ART UNIT:**	2173
APPLICATION NO.:	10/038,312	**EXAMINER:**	LEE, Ting Zhou
FILING DATE:	November 9, 2001	**DATED:**	July 27, 2010

FOR: **METHOD OF PROVIDING USER INTERFACE IN A PORTABLE TERMINAL**

Mail Stop A.F.
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

In response to the Final Office Action of the United States Patent and Trademark Office dated April 27, 2010, please consider the following remarks.

REMARKS

Claims 1-5 are pending in the application. Claims 1-5 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Cox, Jr. et al.* (U.S. Patent 6,462,760) in view of *Moon et al.* (U.S. Patent 6,211,858).

Regarding the rejection of independent Claims 1-5 under §103(a), the Examiner alleges that *Cox* and *Moon* render the claim unpatentable. Applicants respectfully disagree.

Cox is directed to user interfaces, methods, and computer program products that can conserve space on a computer display screen by associating an icon with a plurality of operations. Basically, *Cox* allows a user to change the settings of an icon, such that a different function can be performed, based on the setting at that time, when the icon is selected. In *Cox*, an icon's appearance and operation changes in response to input from a user.

Moon is a method and apparatus for displaying rotating meters in a section of a display on a portable intelligent communications device. While *Moon* describes rotating the display of different meters, these meters in *Moon* are just meters that display state information about a corresponding property of the intelligent communications device, e.g., signal strength, battery power, or available memory. In *Moon*, a meter's appearance will change in response to a change in state of a portable communications device. However, the meters in *Moon* do not have any functions registered thereto, which are invoked when the meter is selected (e.g., touched).

Regarding the rejection of independent Claim 1 under §103(a) as being unpatentable over *Cox* in view of *Moon*, the Examiner appears to now be admitting that *Cox* does not teach "a state indicator whose representation and function changes according to a state change," for which the Examiner now cites *Moon*.

As described above, in *Cox*, an icon's appearance and operation changes in response to input from a user; no state changes are used by *Cox* to change the appearance or operation of an icon. A user changing the appearance and operation of an icon cannot be equated with the registering of a different function to the related individual state indicator corresponding to a current state change as recited in the claims of the present application.

The Examiner now cites *Moon* as teaching a state indicator whose representation and function changes according to a state change. Applicants agree that Moon teaches a state indicator whose representation changes according to a state change, but disagree that *Moon* teaches a state indicator whose function changes according to a state change.

Specifically, *Moon* scrolls through or displays different meters, i.e., state indicators, based on timing or an occurrence of a state change corresponding to a respective meter. For example, *Moon* may first display a signal strength meter and then display a battery strength meter, either in a sequence based on time or when either of the signal strength or the battery strength falls below a predetermined threshold. However, neither of the a signal strength meter nor a battery strength meter in *Moon* has a registered function that is in invoked when the meter has a registered different function, that is invoked upon receipt of a user input selecting the individual state indicator.

Further, *Moon* clearly fails to teach or suggest multiple functions that are registered to the state indicator corresponding to different states as indicated by the indicator. For example, if the battery meter in *Moon* indicates full power, selecting the indicator in *Moon* performs no associated function. Further, if the battery meter in *Moon* indicates almost no power, selecting the indicator in *Moon* again performs no associated function.

Independent Claim 1 recites a method of providing a user interface for invoking a plurality of functions registered to a related individual state indicator in a portable terminal displaying a plurality of individual state indicators that indicate a change in a state of a portable terminal operation, the

method comprising:

registering an initial function to the related individual state indicator corresponding to an initial state of the portable terminal operation, by associating with the state indicator a task operation module corresponding to the initial function;

registering a different function to the related individual state indicator corresponding to a current state change of the portable terminal operation, by associating with the state indicator a task operation module corresponding to the different function corresponding to the current state change of the portable terminal operation, when the change in state of the portable terminal operation to be reflected in a state representation of the related individual state indicator occurs;

altering the state representation of the related individual state indicator corresponding to the current state change of the portable terminal operation; and

invoking the associated task operation module corresponding to the registered different function upon receipt of a user input selecting the individual state indicator. (Emphasis added.)

Even though the meter icon of *Moon* shows the state change in relation to a system operation, *Moon* fails to disclose making a registration for a user to perform the function associated with the meter upon the state change. Also, there is no section of *Moon* that teaches or suggests performing the function relating to the meter icon by means of inputting or touching by a user selecting the meter icon, or a position of a cursor, as claimed in the current claims. Similarly to the icon of *Cox*, the meter of *Moon* fails to teach, disclose or suggest performing the function associated with the changed state of portable terminal operation as well as displaying the state change of the portable terminal operation, as is with the indicator defined in the claims of the application.

Neither *Cox* nor *Moon*, either alone or in combination teach a state indicator that has multiple functions register thereto that are invoked when the state indicator is selected, while indicating a specific state that corresponds to one of the multiple functions, as in independent Claim 1.

Therefore, at least for the above reasons, it is respectfully submitted that independent Claim 1

is allowable over the cited references.

In addition, as many of the features of Claims 2-5 are similar to those recited in Claim 1, the arguments set forth above with respect to Claim 1 also apply to Claims 2-5.

Based on at least the foregoing, withdrawal of the rejection of Claims 1-5 under §103(a) is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-5, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

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